Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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Addendum

III. Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

A. United Nations Convention against Transnational Organized Crime

1. At its 4th meeting, on 16 October 2018, the Conference considered agenda item 2 (a), entitled "Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: United Nations Convention against Transnational Organized Crime". For its consideration of the item, the Conference had before it the following:

(a) Note by the Secretariat on the reports on the meetings for the purpose of defining the specific procedures and rules for the functioning of the review mechanism for the United Nations Convention against Transnational Organized Crime and the Protocols thereto, held in Vienna from 24 to 26 April 2017, from 30 October to 1 November 2017 and from 21 to 23 March 2018 (CTOC/COP/2018/7);

(b) Note by the Secretariat on the status of adherence to the United Nations Convention against Transnational Organized Crime and the Protocols thereto as at 15 August 2018 (CTOC/COP/2018/CRP.1).

2. A representative of the Secretariat made an introductory statement. Statements were also made by representatives of the European Union, Algeria, Italy, Thailand, Kuwait, Bulgaria, Romania, Indonesia, the United States of America, Burundi, the Gambia, China and Mexico.

3. The observer for the Organization of American States also made a statement.

Deliberations

4. Several speakers reported that the adoption of national legislation to implement the Convention and its Protocols played a key role in furthering law enforcement and international judicial cooperation efforts. In that regard, some speakers stressed that the Convention was flexible in its scope of application and could thus be used to

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address different forms of organized crime, including trafficking in persons, the smuggling of migrants, trafficking in firearms, cybercrime, trafficking in cultural property, wildlife crime, drug trafficking, corruption and money-laundering.

5. Some speakers underscored that the transnational nature of organized crime posed serious challenges for law enforcement and that the effective implementation of the Convention would limit the ability of organized criminal groups to profit from their illicit activities and to cross borders with impunity.

6. A number of speakers commended the work of UNODC in the area of developing tools to promote the effective implementation of the Convention. Speakers shared their national experiences regarding the development of legislation, institutional initiatives and inter-agency coordination for such effective implementation.

7. Speakers reported on efforts to conclude the discussions regarding the mechanism to review implementation of the Convention and its Protocols, with reference to ongoing consultations on a draft resolution addressing that topic that had been submitted for consideration at the present session of the Conference. In that regard, speakers reported progress in overcoming divergent views that had previously hampered the adoption of a mechanism. Many speakers emphasized the fundamental importance of establishing a review mechanism so that States parties could identify gaps in their implementation of the provisions of the instruments, as well as ways to address those challenges, including by identifying technical assistance needs and exchanging good practices.

8. Some speakers stated that the review mechanism should be based on the principles contained in Conference resolutions 5/5 and 8/2. Other speakers underscored that the review should be gradual and that the mechanism should not cause an undue burden and should not unnecessarily duplicate prior information-gathering efforts of the Conference. Regarding the funding model for the mechanism, speakers held various views, such as that there was a need for predictable and stable funding and that core functions should be covered by regular budget resources, to be supplemented by voluntary contributions. Others stated that there should not be an increase in the regular budget and that the use of regular budget resources should not compromise other mandates of the Office. Speakers also expressed different perspectives with regard to the participation of civil society in the review mechanism.